



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: July 15, 2010 **REPORT NO. PC-10-057**

ATTENTION: Planning Commission, Agenda of July 22, 2010

SUBJECT: Sorokin Residence - Project No. 190364
Process 2

**OWNER/
APPLICANT:** Brian Sorokin, owner (Attachment No. 10)
and Dan Linn, Architect, applicant

SUMMARY

Issue(s): Should the Planning Commission approve or deny an appeal of the City staff decision approving a Coastal Development Permit (CDP) to demolish an existing single dwelling unit and to construct two dwelling units, at 247 Kolmar Street in La Jolla?

Staff Recommendation: Deny the appeal and Approve Coastal Development Permit No. 672261.

Community Planning Group Recommendation: On December 3, 2009 the La Jolla Community Planning Association voted 14-0-1 to deny the project because the permit findings could not be made (Attachment No. 9).

Environmental Review: The City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15303, New Construction or Conversion of Small Structures and Section 15332, Infill Development Projects (Attachment No. 6). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 27, 2010, and the opportunity to appeal that determination ended May 11, 2010.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None

Housing Impact Statement: The project proposes to demolish an existing single family residence and construct a two-story, multi-dwelling structure with two units. The proposed project is located within the La Jolla Community Plan's Windansea area on a parcel designated for multiple unit residential use which would provide for a low medium density range of 9 to 15 dwelling units per acre. The proposed two units on a 4,999 square-foot lot would provide a net gain of one additional unit and will be in compliance with the density requirements of the existing RM-1-1 zone.

BACKGROUND

The subject property is located at 247 Kolmar Street between La Jolla Boulevard and Vista Del Mar Avenue (Attachment No. 2) The project proposes to demolish an existing single family residence and construct a 3,698 square-foot, two-story, multi-dwelling structure with two units, attached two car garage, two off-street surface parking spaces, grading, landscaping and other minor improvements within in the RM-1-1, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, and Transit Overlay Area Zones of the La Jolla Community Plan area.

City staff reviewed the CDP application and on May 21, 2010, the City of San Diego's Development Services Department issued the project's Notice of Decision to approve the CDP for the development. On June 8, 2010, the La Jolla Community Planning Association (LJCPA) filed an appeal of the City's decision (Attachment No. 8).

DISCUSSION

Project Description:

The proposed coastal development would demolish an existing single-story residential unit and construct a new 3,698 square-foot, two-story multi-dwelling structure with two units, a basement, garage, carport, and penthouse on a 4,999 square-foot lot (Attachment No. 7). The project is located in the City's non-appealable, Coastal Overlay Zone requiring a Process Two, Development Services Department decision, Coastal Development Permit. The subject property is approximately 1/8 mile east of the Pacific Ocean and is not located between the sea and the first public roadway paralleling the sea.

The existing structure was built in 1927 and therefore is required to be reviewed for potential historical significance as the structure was 45 years old or older. The historic review determined that the property does not appear to be eligible for designation as an individually significant historic resource; therefore no further historic review was required. The building is proposed as two stories at a maximum height of 30 feet, therefore the building will not exceed the maximum 30 foot height limit allowed by the Coastal Height Limit Overlay Zone.

The zone designates the property as multi-family residential, RM-1-1, which allows 1 dwelling unit for each 3,000 square feet of lot area. The minimum required lot size is 6,000 square feet, and the project lot size is 4,999 square feet. The maximum number of units that may be permitted on this site, pursuant to San Diego Municipal Code sec. 113.0222(a)(1)

[Attachment No. 12], is determined by dividing the lot area of the premises by the number of square feet required for each dwelling unit (3,000 square feet). Because the quotient of 1.67, resulting from this calculation, exceeds a whole number by 0.50 or more, the number of dwelling units may be increased to the next whole number.

The project does not exceed the gross floor area allowed by the zone. The zone allows a maximum Floor Area Ratio (FAR) of 0.75 and the project is designed at a 0.739 FAR. The project meets the required zoning yard setbacks. The front yard setback is 15 feet minimum for 50% of the building envelope width of which the project's envelope width is 42 feet. The side yard setbacks are 4 feet minimum with a lot width less than 50 feet. The rear yard setback is an allowable 7'-6" of which is half of the alley width per SDMC sec. 131.0443(d)(4).

The proposed development will take place entirely within private property and includes grading, excavation to approximately 12 feet in depth, and export of approximately 260 cubic yards of soil to construct a subterranean basement. The project will provide 4 off-street automobile parking spaces meeting the requirement for providing off-street parking spaces in a transit and beach impact area. The project is required to close the existing driveway on Kolmar Street and replace with matching curb, gutter, and sidewalk. Also, the dedication of an additional 2 feet of public right-of-way at the adjoining alley. The project was designed in conformance with the underlying zones and is not requesting deviations or variances to the Land Development Code.

Community Plan Analysis:

The project proposes to demolish an existing single family residence and construct a two-story, multi-dwelling unit. The project site is located within the La Jolla Community Plan's Windansea area (Attachment No. 3) on a parcel designated for multiple unit residential use which would provide for a low medium density range of 9 to 15 dwelling units per acre.

The proposed two units on a 4,999 square-foot lot would equate to a residential density of 17.4 units per acre, which is in excess of the density range designated in the community plan. However, the La Jolla Community Plan (LJCP) states that the RM-1-1 zone is proposed to implement the low medium density designation for multiple dwelling unit development in the form of townhomes and low-scale apartments found in portions of the development's Windansea area.

The adopted land use plan contains a variety of recommendations that must be considered in total. The LJCP has a density range that this existing lot is unable to comply with. One dwelling is below the minimum density and two units are above the maximum density. Utilizing the allowed density of the RM-1-1 zone as prescribed in the LJCP would implement the community plan goals for this site as designated for multi-family and not single family. Allowing two units is consistent with the multi-family land use designation. Should this property and the neighborhood development be held to the density range cap on a per lot basis, then the entire neighborhood would not be allowed to develop for multi-family purposes as desired by the LJCP. A majority of the existing parcels in the vicinity of the project site are comprised of 5,000 square-foot lots with two units and utilizing the density cap on a project by project basis would result in the entire neighborhood being below the planned density. The LJCP further recommends the retention and redevelopment of its residentially designated areas of the community at the density

permitted by the existing zone. The proposed two unit development on the 4,999 square-foot lot is in compliance with the density requirements of the existing RM-1-1 zone, and is therefore in conformity with the LJCP, certified Local Coastal Program, and complies with all regulations of the certified Implementation Program.

Appeal Issues:

The La Jolla Community Planning Association (LJCPA) filed an appeal of the City's decision citing "The findings cannot be made for the Coastal Development Permit." The aforementioned statement is consistent with the LJCPA's recommendation, which adopted their subcommittee's motion with the same statement. No other specifics on the grounds for the appeal have been provided by the LJCPA. However, the Development Services Department, as the decision maker for Process Two decisions, has evaluated the proposed project and determined the prepared Coastal Development Permit findings fully support the Department's decision to approve the project as designed.

Conclusion:

City staff has reviewed and approved the proposed development consistent with the adopted land use plans, policies, SDMC regulations, and has prepared the permit and necessary findings to support the project as proposed. Therefore, City staff recommends that the Planning Commission deny the appeal and reaffirm Development Services Department's decision to approve Coastal Development Permit No. 672261.

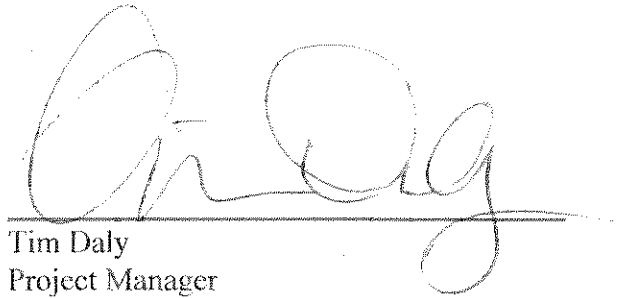
ALTERNATIVES

1. **Deny** the appeal and **Approve** Coastal Development Permit No. 672261, with modifications.
2. **Approve** the appeal and **Deny** Coastal Development Permit No. 672261, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Tim Daly
Project Manager
Development Services Department

BROUGHTON/TPD

Attachments:

1. Aerial Photograph

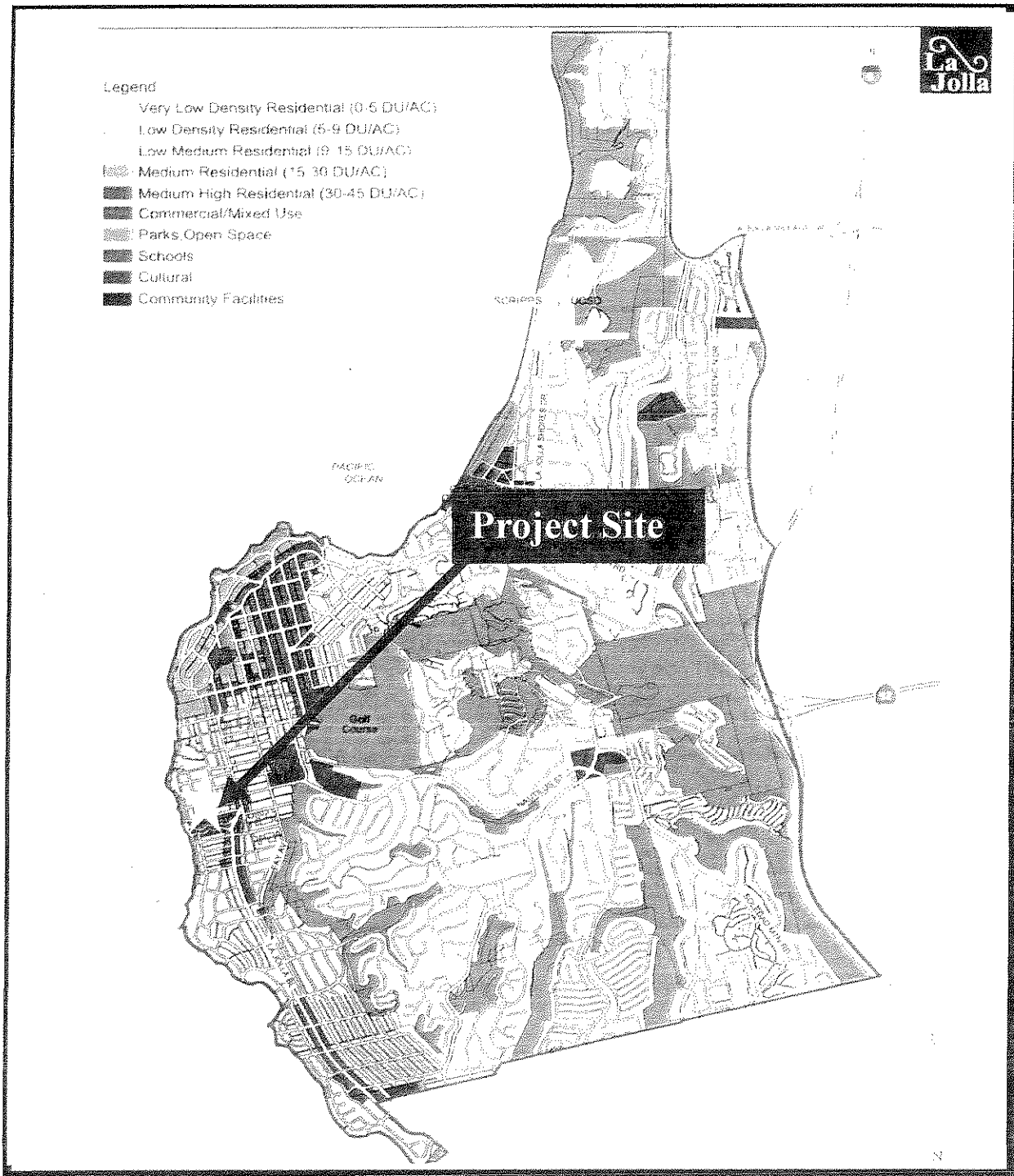
2. Project Location Map
3. Community Plan Land Use Map
4. Draft Permit Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Project Site Plan(s)
8. Copy of Appeal
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology
12. SDMC sec. 113.0222(a)(1)



Aerial Photo

**SOROKIN RESIDENCE, Project No. 190364
247 Kolmar Street**

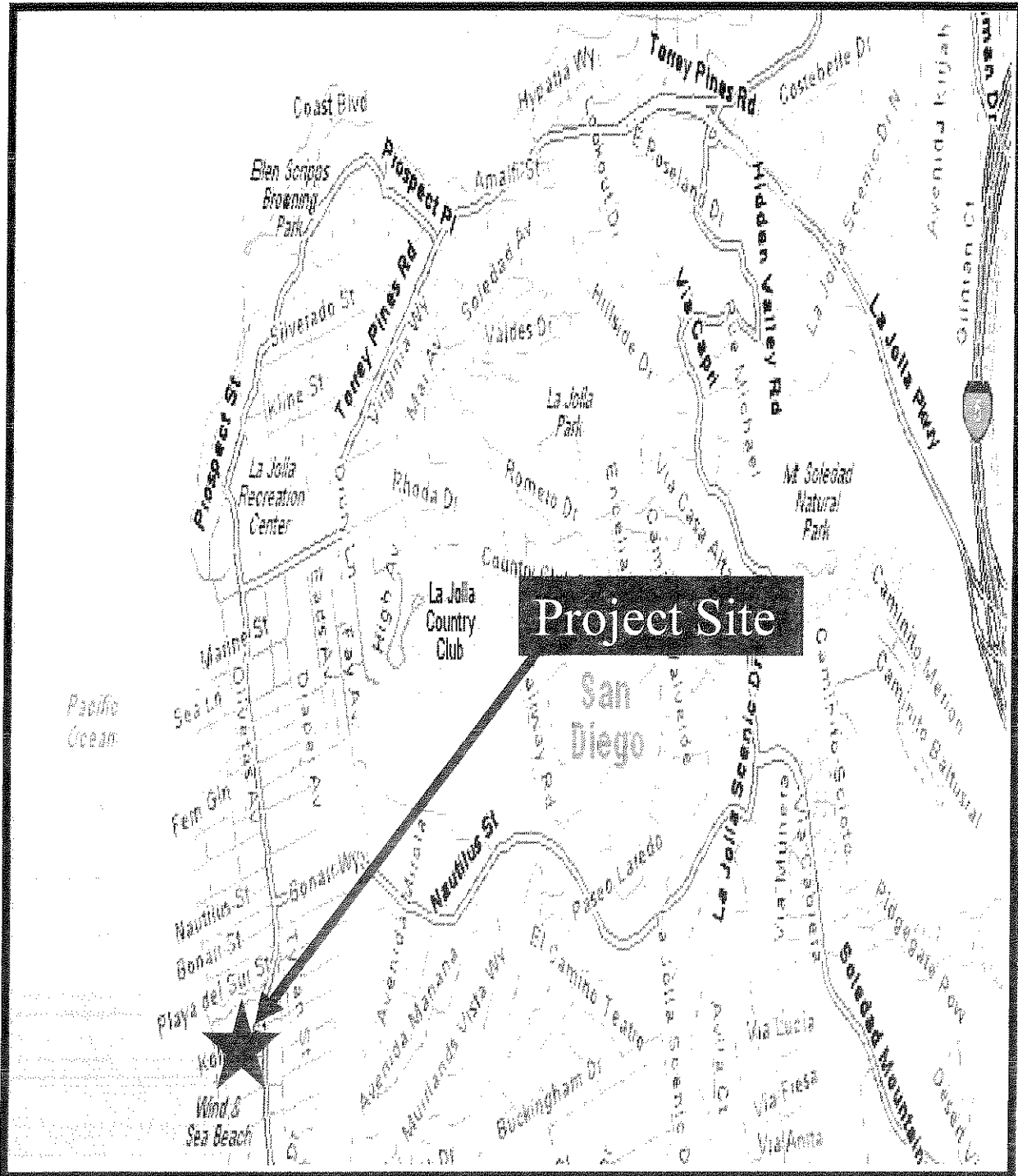




La Jolla Community Land Use Map

SOROKIN RESIDENCE, Project No. 190364
247 Kolmar Street





Project Location

SOROKIN RESIDENCE, Project No. 190364
247 Kolmar Street



DEVELOPMENT SERVICES RESOLUTION NO. CM-6111
COASTAL DEVELOPMENT PERMIT NO. 672261
SOROKIN RESIDENCE PROJECT NO. 190364

WHEREAS, BRIAN SOROKIN and RUTH SOROKIN, Owners/Permittee, filed an application with the City of San Diego for a permit to demolish the existing residential unit and construct a two-story, 3,698 square-foot multiple dwelling unit (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 672261), on portions of a 0.11-acre site;

WHEREAS, the project site is located at 247 Kolmar Street in the RM-1-1, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, and Transit Overlay Area Zones of the La Jolla Community Plan;

WHEREAS, the project site is legally described as Lots 9 and 10, Block 11, La Jolla Strand, Map No. 1216, City of San Diego, County of San Diego, State of California, filed in the Office of County Recorder of San Diego County, October 18, 1909;

WHEREAS, on May 21, 2010, the Development Services Department of the City of San Diego considered Coastal Development Permit No. 672261 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on April 27, 2010, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Sections 15303, new construction or conversion of small structure and 15332, infill development projects and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520; NOW, THEREFORE,

BE IT RESOLVED by the Development Services Department of the City of San Diego as follows:

That the Development Services Department adopts the following written Findings, dated May 21, 2010.

FINDINGS:

Coastal Development Permit - Section 126.0708

- 1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.** The subject property is located at 247 Kolmar Street between La Jolla Boulevard and Vista Del Mar Avenue. The project proposes to demolish an existing single family residence and construct a 3,698 square-foot, two-story, multiple dwelling unit with two units, attached two car garage, two off-street surface parking spaces, grading, landscaping and other minor improvements. The proposed multiple family structure will be developed entirely within the private property and will not encroach upon any

existing physical access way legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan in as much as there are no legally used by the public or any proposed public accessways located on the private property. The proposed development will be constructed completely within the boundaries of the private property and will observe all required yard setbacks. The La Jolla Community Plan and Local Coastal Program identify the location of all public view corridors within the community and Kolmar Street is identified as a view corridor allowing for the unobstructed framed views down the public right of way to La Jolla Strand Park and the Pacific Ocean. The project does not propose any development encroachment into the public right-of-way and complies with Land Development Code's 15-foot front yard setback for the underlying zone. As such the proposed project will have no effect upon the public views to and along the ocean and other scenic coastal areas as identified in the Local Coastal Program land use plan.

2. The proposed coastal development will not adversely affect environmentally sensitive lands. The subject property is located at 247 Kolmar Street between La Jolla Boulevard and Vista Del Mar Avenue. The project proposes to demolish an existing single family residence and construct a 3,698 square-foot, two-story, multiple dwelling unit with two units, attached two car garage, two off-street surface parking spaces, grading, landscaping and other minor improvements. The subject site is an urbanized property surrounded by single and multiple family residential developments with all proposed development occurring on private property. The site is not within or adjacent to the Multiple Species Conservation Program, Multiple Habitat Planning Area or any other environmentally sensitive lands. There are no sensitive habitats or species located on the site nor is the site adjacent to the City of San Diego's Multi-Habitat Planning Area. The proposed project will have no significant environmental effect. In the absence of any environmentally sensitive lands present on the site the proposed development will have no adverse affect to or upon environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program. The subject property is located at 247 Kolmar Street between La Jolla Boulevard and Vista Del Mar Avenue. The project proposes to demolish an existing single family residence and construct a 3,698 square-foot, two-story, multiple dwelling unit with two units, attached two car garage, two off-street surface parking spaces, grading, landscaping and other minor improvements. The proposed project is located within the La Jolla Community Plan's Windansea area on a parcel designated for multiple unit residential use which would provide for a low medium density range of 9 to 15 dwelling units per acre.

The proposed two units on a 4,999 square-foot lot would equate to a residential density of 17.4 units per acre, which is in excess of the density range designated in the community plan. However, the La Jolla Community Plan states that the RM-1-1 zone is proposed to implement the low medium density designation for multiple dwelling unit development in the form of townhomes and low-scale apartments found in portions of the Windansea area. The community plan further recommends the retention and redevelopment of its residentially designated areas of the community at the density permitted by the existing zone.

A majority of the existing parcels in the vicinity of the project site are comprised of 5,000 square-foot lots with two units, all which would exceed the community plan density maximum of 15 dwelling units per acre. Some properties retain the original subdivision configuration of 1

dwelling unit on a 2,500 square-foot lot (25' x 100' parcel), which would also exceed the density range recommended by the community plan. The existing parcel configuration and development pattern of the low medium residential designated areas of Windansea area demonstrates that the community plan density range of 9 to 15 dwelling units per acre does not reflect the existing conditions or development patterns in the community. Therefore, the proposed two unit development on the 4,999 square-foot lot is in compliance with the density requirements of the existing zone (RM-1-1), and is therefore in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

In addition, the project would adhere to policies and objectives established by the community plan in that the design of the proposed structure does not affect any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan. Furthermore the proposed project will have a harmonious physical and aesthetic relationship with other existing structures in the neighborhood. Being determined the proposed project will be consistent with the La Jolla Community Plan policies and objectives the project is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The subject property is located at 247 Kolmar Street between La Jolla Boulevard and Vista Del Mar Avenue. The project proposes to demolish an existing single family residence and construct a 3,698 square-foot, two-story, multiple dwelling unit with two units, attached two car garage, two off-street surface parking spaces, grading, landscaping and other minor improvements. The project site is not located between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. Therefore, the proposed project to construct a 3,698 square-foot multiple family residence will have no affect upon public access and the recreation policies of Chapter 3 of the California Coastal Act and therefore be in conformance with such Act.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Development Services Department, Coastal Development Permit No. 672261 is hereby GRANTED by the Development Services Department to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Coastal Development Permit No. 672261, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: May 21, 2010

Internal Order No. 24000062

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INT. ORDER NUMBER: 24000062

COASTAL DEVELOPMENT PERMIT NO. 672261
SOROKIN RESIDENCE PROJECT NO. 190364
Development Services Department

This Coastal Development Permit No. 672261 is granted by the Development Services Department of the City of San Diego to BRIAN SOROKIN and RUTH SOROKIN, Owners and Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0701. The 0.11-acre site is located at 247 Kolmar Street in the RM-1-1, Coastal Overlay (non-appealable), Coastal Height Limit, Residential Tandem Parking, and Transit Overlay Area Zones of the La Jolla Community Plan. The project site is legally described as Lots 9 and 10, Block 11, La Jolla Strand, Map No. 1216, City of San Diego, County of San Diego, State of California, filed in the Office of County Recorder of San Diego County, October 18, 1909.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittees to demolish the existing residential unit and construct a two-story, 3,698 square-foot multiple dwelling unit, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 21, 2010, on file in the Development Services Department.

The project shall include:

- a. Demolish the existing residential unit;
- b. Construct a 3,698 square-foot, two-story, multiple dwelling unit with two units, attached two car garage, and two off-street surface parking spaces; and
- c. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
2. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action, or following all appeals.
3. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
5. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of a construction permit, the Owner/Permittee shall assure by permit and bond the closure of the existing driveway with City standard curb, gutter and non-standard sidewalk, on Kolmar Street, satisfactory to the City Engineer..

13. Prior to the issuance of a construction permit, the Owner/Permittee shall replace the portion of damaged sidewalk with the same scoring pattern City standard sidewalk, adjacent to the existing driveway on Kolmar Street, per Standard Drawing G-7 and G-9, satisfactory to the City Engineer.

14. Prior to the issuance of any construction permit, the Owner/Permittee shall grant to the City a 2.5-foot wide Irrevocable Offer of Dedication (IOD) for the adjacent alley, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

17. Prior to foundation inspection, the Owner/Permittee shall submit an building pad certification signed by a Registered Civil Engineer or a Licensed Land Surveyor, certifying the pad elevation based on USGS datum is consistent with Exhibit 'A,' satisfactory to the City Engineer.

AFFORDABLE HOUSING REQUIREMENTS:

18. Prior to the issuance of any building permits, the Owner/Permittee shall comply with the affordable housing requirements of the City's Inclusionary Affordable Housing Regulations (SDMC § 142.1301 et seq.) by paying an in-lieu fee.

PLANNING/DESIGN REQUIREMENTS:

19. Upon the completion of the project's development, no fewer than four off-street parking spaces shall be maintained on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.

20. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

21. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as a condition of approval of this Permit. Where there is a conflict between a condition (including exhibits) of this Permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a

deviation or variance from the regulations. Where a condition (including exhibits) of this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

22. Any future requested amendment to this Permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

23. The height(s) of the buildings(s) or structures shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this Permit.

24. All fences and retaining walls shall comply with the San Diego Municipal Code Section 142.0301.

25. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

26. The use of textured or enhanced paving shall meet applicable City standards as to location, noise, and friction values.

LANDSCAPE REQUIREMENTS:

27. Prior to issuance of any construction permits for structures, complete landscape and irrigation construction documents consistent with the Landscape Standards shall be submitted to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit "A," Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square-foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

28. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

29. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

30. The Owner/Permittee and/or subsequent shall be responsible for the installation and maintenance of all landscape improvements consistent with the Land Development Code's Landscape Regulations and the Land Development Manual, Landscape Standards.

31. The Owner/Permittee and/or subsequent shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.

32. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Final Inspection.

WATER AND WASTEWATER REQUIREMENTS:

33. The Owner/Permittee shall design and construct all proposed sewer facilities to the most current City of San Diego Sewer Design Guide. Proposed facilities that do not meet the current standards shall be private or redesigned.

34. The proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Plumbing Code and shall be reviewed as part of the building permit plan check.

35. Prior to the issuance of any construction permits, the Owner/Permittee shall assure by permit and bond, the design and construction of new water service(s) outside of any driveway, and the removal of all existing unused services, within the right-of-way adjacent to the project site, in a manner satisfactory to the Director of Public Utilities and the City Engineer.

36. Prior to the issuance of any Final Inspection, all public water facilities shall be complete and operational in a manner satisfactory to the Director of Public Utilities and the City Engineer.

37. The Owner/Permittee agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities, and associated easements, as shown on approved Exhibit "A" shall be modified at final engineering to comply with standards.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Development Services Department of the City of San Diego on May 21, 2010, resolution No. CM-6111

Permit Type/PTS Approval No.: CDP No. 672261

Date of Approval: May 21, 2010

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES
DEPARTMENT

Tim Daly
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

**The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of
this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.**

Owner/Permittee

By _____
NAME
TITLE

Owner/Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

(Check one or both)

TO: RECORDER/COUNTY CLERK
P.O. Box 1750, MS A-33
1600 PACIFIC HWY, ROOM 260
SAN DIEGO, CA 92101-2422

FROM: CITY OF SAN DIEGO
DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 501
SAN DIEGO, CA 92101

OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

PROJECT TITLE/NO.: SOROKIN DUPLEX /190364

PROJECT LOCATION-SPECIFIC: 247 Kolmar Street, San Diego, CA 92037

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: A Coastal Development Permit is being requested to demolish an existing single-dwelling residence and construct 3,698-square-foot duplex and associated site improvements. The 0.11-acre project site is located at 247 Kolmar Street, is designated as Low Medium Density Residential (9-15 dwelling units per acre), in the RM-1-1 (Residential Multi-Family) Zone, Coastal Overlay (non-appealable area 2), Coastal Height Limit Overlay, Residential Tandem Parking Overlay, Parking Impact Overlay, and the Transit Area Overlay Zones within the La Jolla Community Plan area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Brian Sorokin, 817 Genter Street, San Diego, CA 92037
(858) 459-2579.

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268)
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a))
- EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- CATEGORICAL EXEMPTION: 15303 (New Construction or Conversion of Small Structures) and 15303 (Infill Development Projects)
- STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: The City of San Diego conducted an Initial Study that determined that the project would not have the potential for causing a significant effect on the environment in that the project is consistent with the density as determined by the community plan and implemented by the applicable zone. The project would not result in any significant impacts to biological resources, historical resources, traffic, noise, air quality, or water quality. The project meets the criteria set forth in CEQA Section 15303 allows for the construction of a duplex in an urbanized area; and CEQA Section 15332 which allows for the construction of infill development within an urbanized area that can be adequately served by all required utilities and public services. In addition, the exceptions listed in CEQA Section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: E. Shearer-Nguyen

TELEPHONE: (619) 446-5369

IF FILED BY APPLICANT:

- 1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.
- 2. HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT?
 YES NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEQA.

Anna McPherson / Senior Planner
 SIGNATURE/TITLE

April 27, 2010
 DATE OF PROJECT APPROVAL

CHECK ONE:

- SIGNED BY LEAD AGENCY
- SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

PROVISIONAL NOTES

1. The owner of this plan is **2800 W. 11th Street, Los Angeles, CA 90007**.
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PERMITS AND REGULATIONS

The project is subject to all applicable laws, rules, regulations, codes, ordinances, and orders of the City of Los Angeles, California, and all other applicable laws, rules, regulations, codes, ordinances, and orders of the State of California, and all other applicable laws, rules, regulations, codes, ordinances, and orders of the United States of America.

The project is subject to all applicable laws, rules, regulations, codes, ordinances, and orders of the City of Los Angeles, California, and all other applicable laws, rules, regulations, codes, ordinances, and orders of the State of California, and all other applicable laws, rules, regulations, codes, ordinances, and orders of the United States of America.

PERMITS AND REGULATIONS

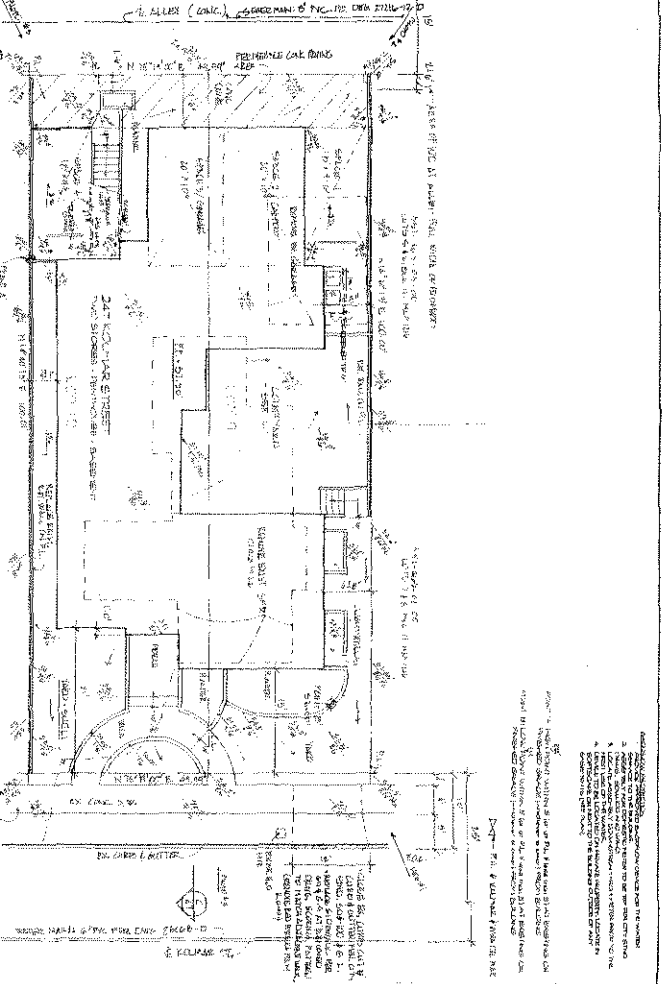
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PERMITS AND REGULATIONS

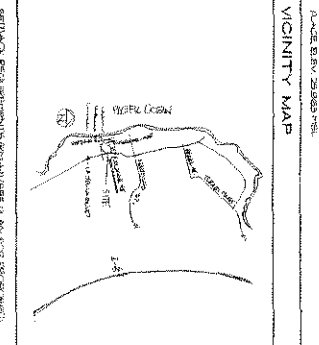
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PROJECT DATA

Project Name: **SOROKIN RESIDENCE**

Address: **2800 W. 11th Street, Los Angeles, CA 90007**

Client: **Daniel Linn Architect**

Architect: **Daniel Linn Architect**

Project No: **2800-11-11-11**

Scale: **1/8" = 1'-0"**

Date: **11/11/11**

DRAWING INDEX	
T	TITLE SHEET - GENERAL PROJECT DATA
A	ARCHITECTURAL PLAN
B	FOUNDATION PLAN
C	CONCRETE REINFORCEMENT PLAN
D	MECHANICAL PLAN
E	ELECTRICAL PLAN
F	PLUMBING PLAN
G	PAINT PLAN
H	LANDSCAPE PLAN
I	SECTIONAL ELEVATIONS
J	EXTERIOR ELEVATIONS
K	INTERIOR ELEVATIONS
L	DETAILS
M	CONSTRUCTION NOTES

PROJECT TEAM

Architect: **Daniel Linn Architect**

Principal: **Daniel Linn**

Project Architect: **Daniel Linn**

Architectural Assistant: **Daniel Linn**

Structural Engineer: **Daniel Linn**

MEP Engineer: **Daniel Linn**

Interior Designer: **Daniel Linn**

Landscaper: **Daniel Linn**

Contractor: **Daniel Linn**

PROJECT TEAM

Architect: **Daniel Linn Architect**

Principal: **Daniel Linn**

Project Architect: **Daniel Linn**

Architectural Assistant: **Daniel Linn**

Structural Engineer: **Daniel Linn**

MEP Engineer: **Daniel Linn**

Interior Designer: **Daniel Linn**

Landscaper: **Daniel Linn**

Contractor: **Daniel Linn**

PROJECT TEAM

Architect: **Daniel Linn Architect**

Principal: **Daniel Linn**

Project Architect: **Daniel Linn**

Architectural Assistant: **Daniel Linn**

Structural Engineer: **Daniel Linn**

MEP Engineer: **Daniel Linn**

Interior Designer: **Daniel Linn**

Landscaper: **Daniel Linn**

Contractor: **Daniel Linn**

SOROKIN RESIDENCE

2800 W. 11th Street
Los Angeles, California 90007

Daniel Linn architect

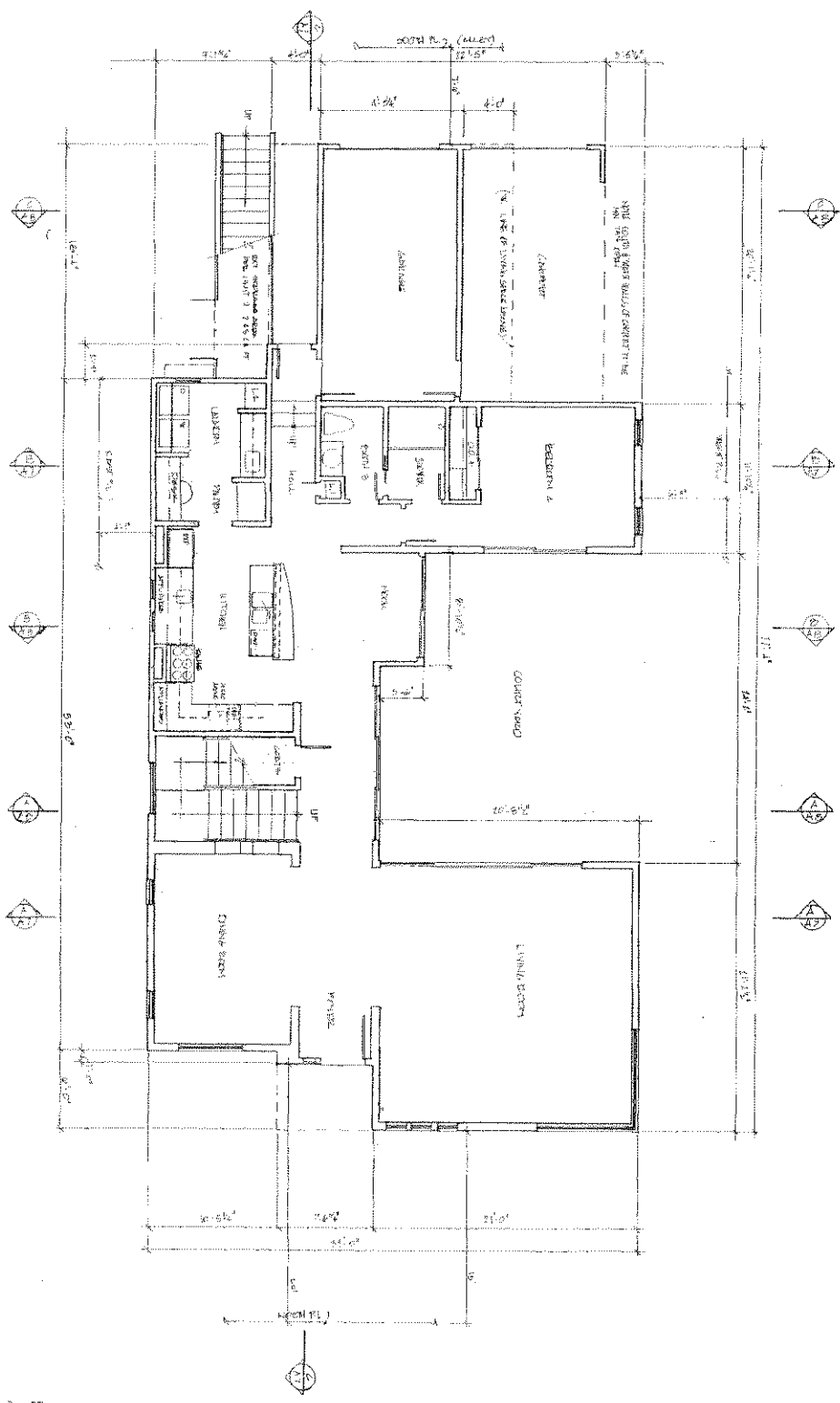
5752 Wilshire Blvd. Suite 1000
Los Angeles, CA 90048
Tel: 310.455.4500
Fax: 310.455.4501
www.daniel-linn.com

DATE: 11/11/11

SCALE: 1/8" = 1'-0"

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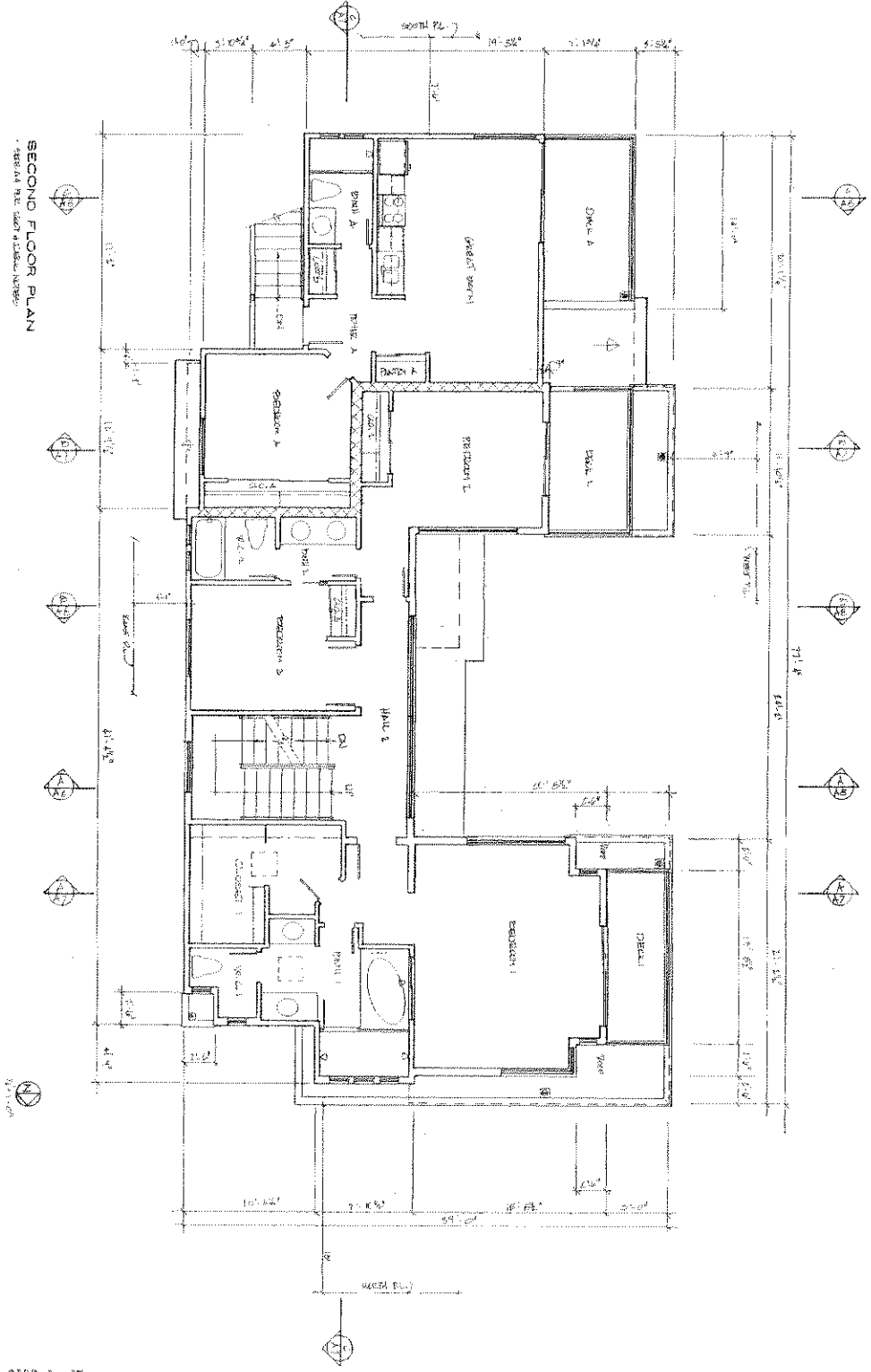
FIRST FLOOR PLAN



DANIEL LINN ARCHITECT
 5732 BELLEVUE AVENUE
 LA JOLLA, CALIFORNIA 92037
 TEL: 619.459.6116 FAX: 619.459.6116
 WWW.DANIELLINNARCHITECT.COM
 PROJECT: SOROKIN RESIDENCE
 ARCHITECT: DANIEL LINN
 DATE: 11.2011
 SHEET: A2 OF 2
 REVISIONS:
 REVISION 1: 11.15.11
 REVISION 2: 11.15.11
 REVISION 3: 11.15.11

A2

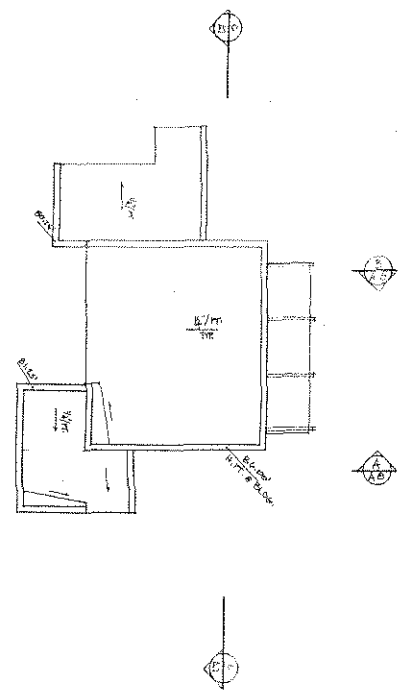
SECOND FLOOR PLAN



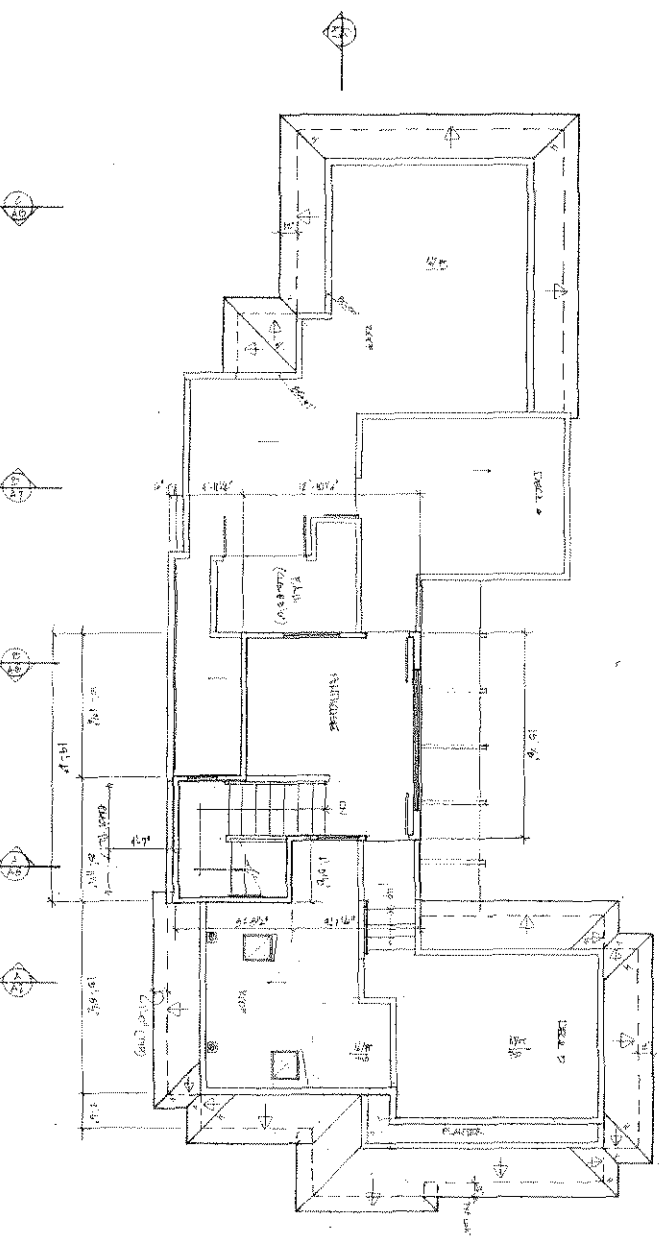
PROJECT TITLE: SOROKIN RESIDENCE
 PROJECT ADDRESS: 347 KOLMAR STREET
 LA JOLLA, CA 92037
 ARCHITECT: DANIEL LINN ARCHITECT
 DATE: 08/2007
 SHEET NO.: 20207
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- ROOF NOTES**
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UPPER ROOF PLAN

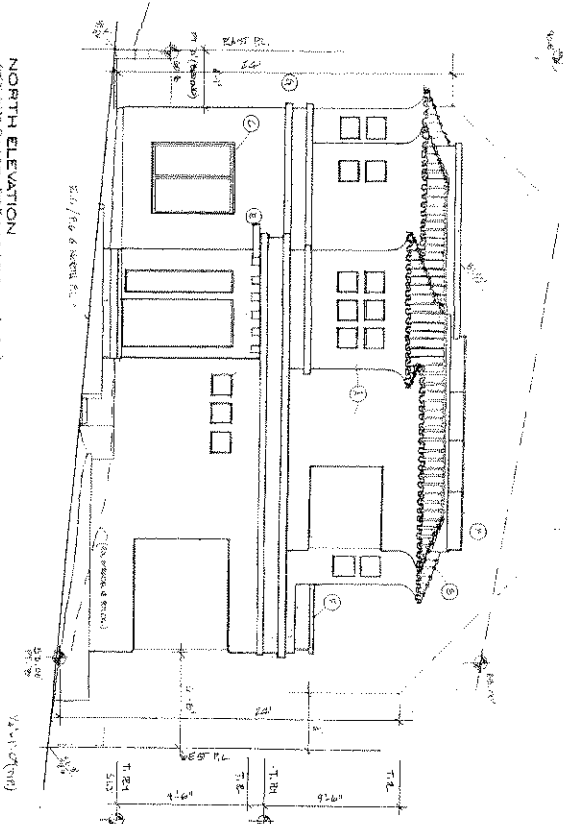


LOW ROOF & PENTHOUSE PLAN

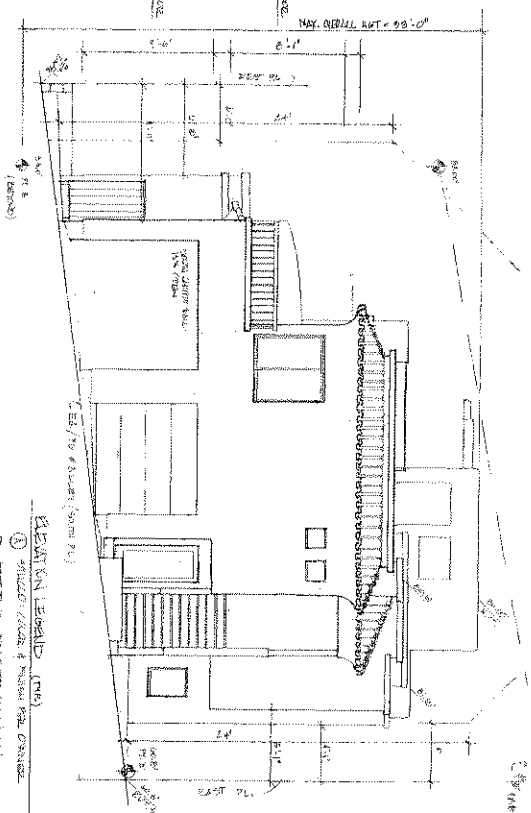


PROFESSIONAL SEAL AND SIGNATURE
 DANIEL LINN ARCHITECT
 247 KOLMAR STREET
 LA JOLLA, CALIFORNIA 92037
 (619) 459-8108
 DANIEL LINN ARCHITECT
 247 KOLMAR STREET
 LA JOLLA, CALIFORNIA 92037
 (619) 459-8108
 REVISION 1
 REVISION 2
 REVISION 3
 REVISION 4
 REVISION 5
 REVISION 6

NORTH ELEVATION
 4500 SITE PLAN (SEE PLAN 1 & 2 FOR LOCATIONS) (SURF 1)



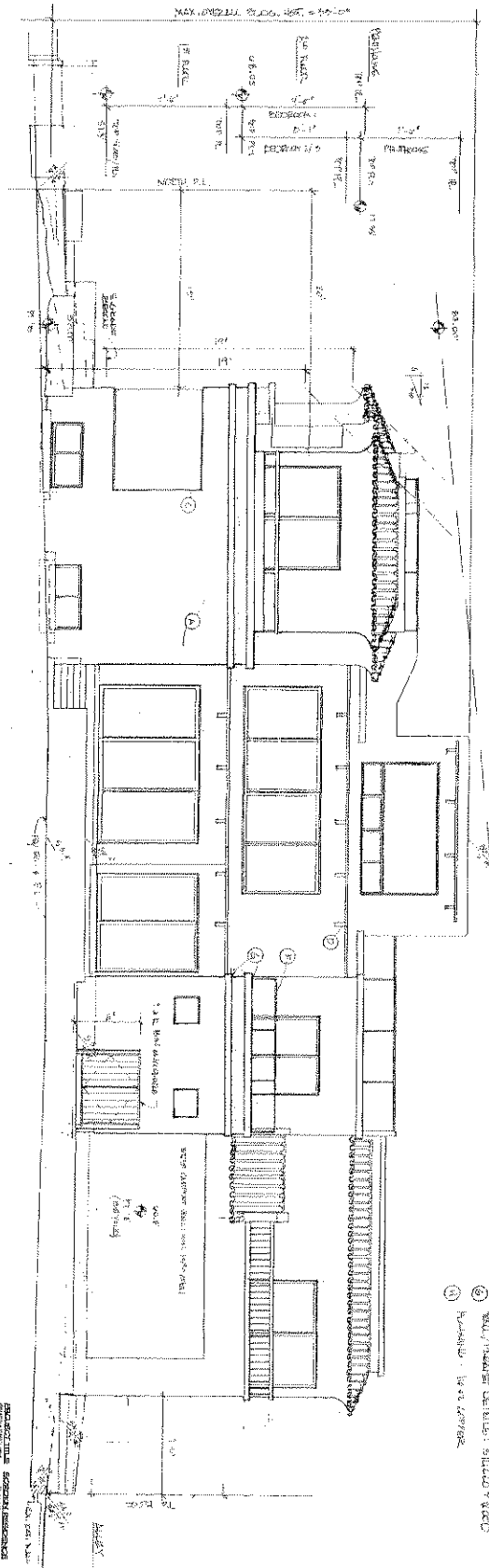
SOUTH ELEVATION



ELEVATION LEGEND (FIN)

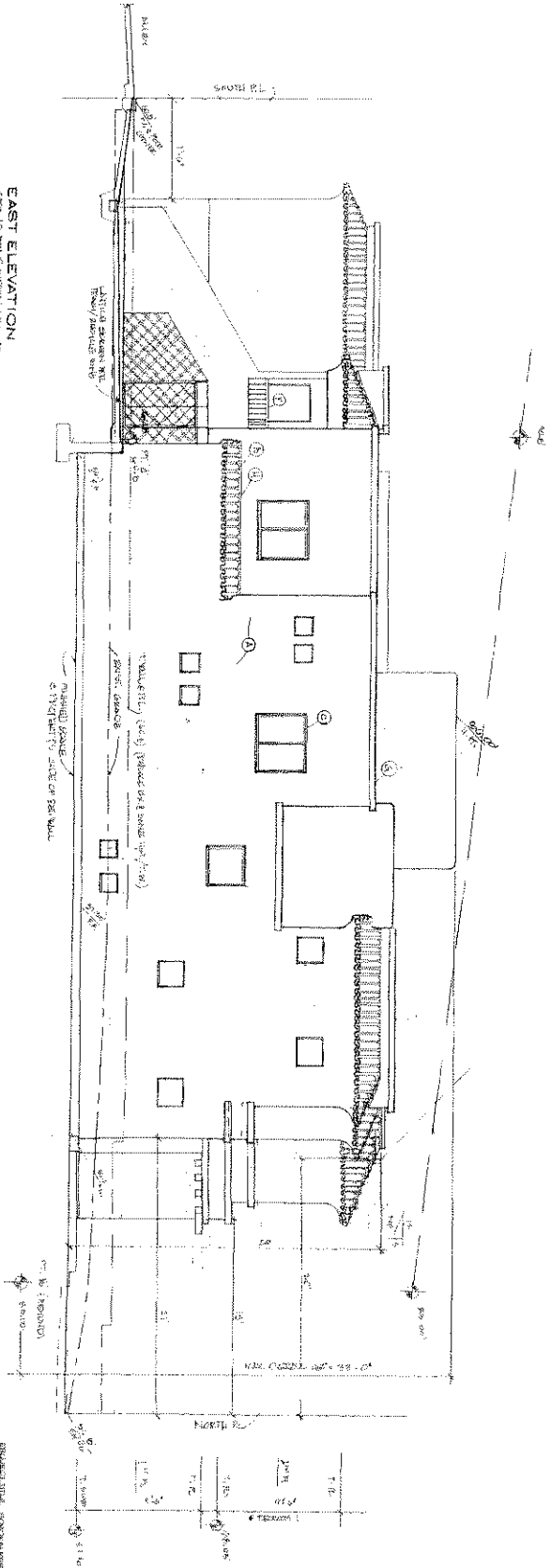
- ① SHUTTER (WOOD & METAL) WALL OVERLAY
- ② ROOF TRIM: TOP OF SIDE CLAY TILEWORK
- ③ WINDOW: (CLAY) WOOD
- ④ SILL/SHIMMER: (WOOD) WOOD SHUTTERS / (WOOD) WOOD SHUTTERS
- ⑤ BALCONY: (WOOD) WOOD SHUTTERS
- ⑥ WALL / SHIMMER DETAILS: (WOOD) WOOD SHUTTERS
- ⑦ BALCONY: (WOOD) WOOD SHUTTERS

WEST ELEVATION



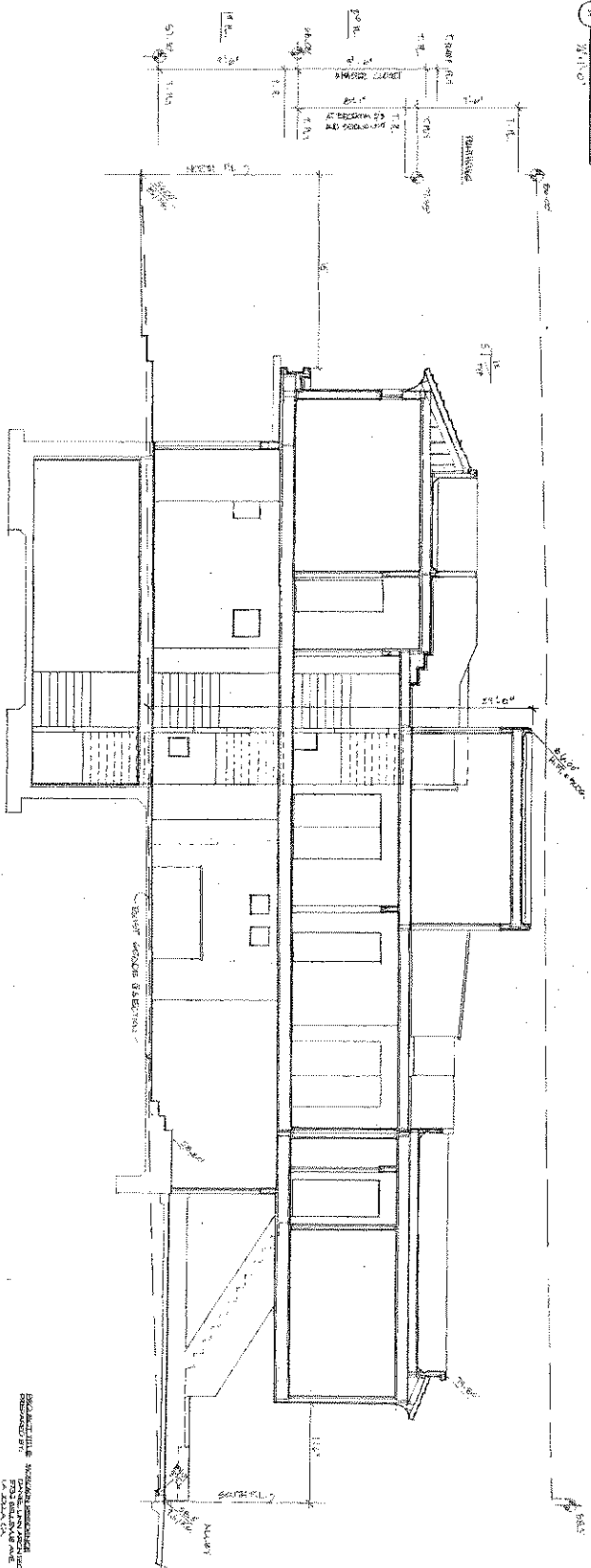
PROJECT TITLE: SOROKIN RESIDENCE
 PROJECT LOCATION: 247 KOLMAR STREET, LA JOLLA, CA 92037
 ARCHITECT: DANIEL LINN ARCHITECT
 PROJECT NO.: 11111
 SHEET NO.: 11111
 DATE: 11/11/11
 SCALE: 1/8" = 1'-0"

EAST ELEVATION
 - SEE JLN 1012 FOR ELEVATION LAYOUT

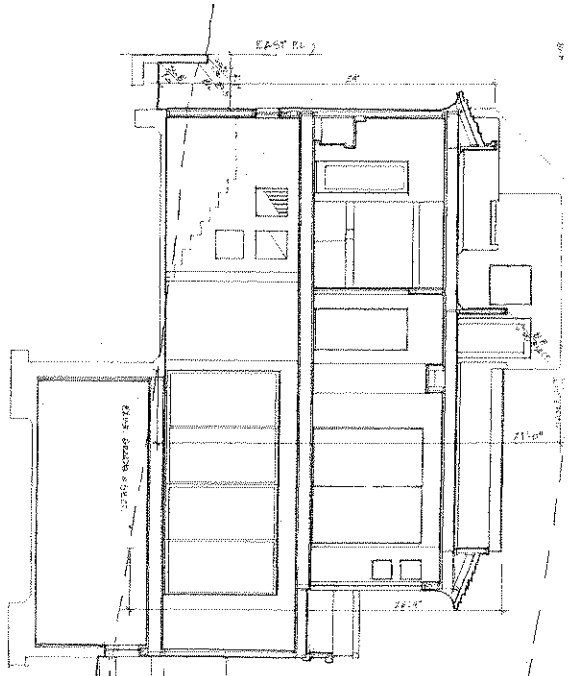


DRAWING TITLE: SOROKIN RESIDENCE
 PROJECT ADDRESS: 247 KOLMAR STREET
 CITY: JOLLA, CALIFORNIA 92037
 ARCHITECT: DANIEL LINN ARCHITECT
 DATE: 12/15/11
 SHEET NO.: A6
 PROJECT NO.: 11111111111111111111

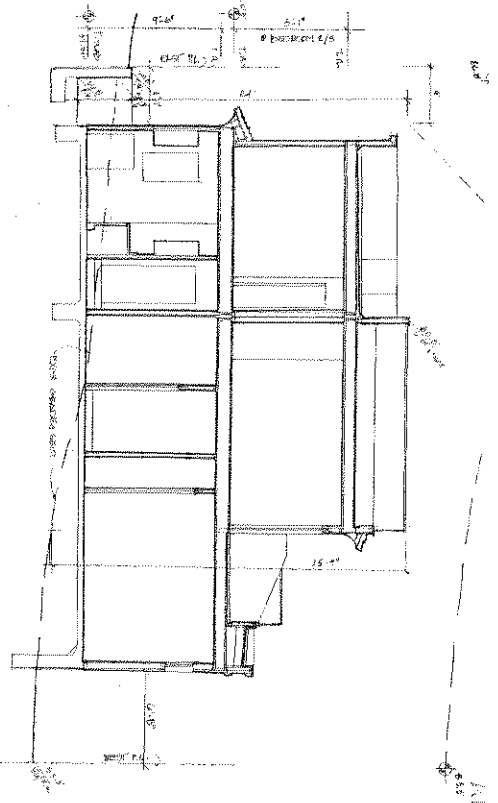
SECTION
1/8" = 1'-0"



SECTION
1/8" = 1'-0"



SECTION
1/8" = 1'-0"



PROJECT TITLE: SOROKIN RESIDENCE
 PROJECT ADDRESS: 247 KOLMAR STREET, LA JOLLA, CA 92037
 ARCHITECT: DANIEL LINN ARCHITECT
 PROJECT ARCHITECT: DANIEL LINN
 PROJECT MANAGER: DANIEL LINN
 PROJECT DESIGNER: DANIEL LINN
 PROJECT ENGINEER: DANIEL LINN
 PROJECT CONTRACTOR: DANIEL LINN
 PROJECT DATE: 2010

A7	<h2>SOROKIN RESIDENCE</h2> <p>247 KOLMAR STREET LA JOLLA, CALIFORNIA 92037</p>	<p>Daniel Linn architect 5732 Bellevue Avenue La Jolla, CA 92037 655 459-8108 fax 655 459-6118</p>
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City of San Diego
Development Services
1222 First Ave. 3rd Floor
San Diego, CA 92101
(619) 446-5210

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031
MARCH 2007

See information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

1. Type of Appeal:

- Process Two Decision - Appeal to Planning Commission
 Process Three Decision - Appeal to Planning Commission
 Process Four Decision - Appeal to City Council
 Environmental Determination - Appeal to City Council
 Appeal of a Hearing Officer Decision to revoke a permit

2. Appellant Please check one Applicant Officially recognized Planning Committee "Interested Person" (Per M.C. Sec. 113.0103)

Name
La Jolla Community Planning Association

Address P. O. Box 889 City La Jolla State CA Zip Code 92037 Telephone 858 488 0160 (direct)

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Dan Linn, Architect

4. Project Information

Permit/Environmental Determination & Permit/Document No.:	Date of Decision/Determination:	City Project Manager:
Sorokin Duplex/CDP/PN190364	May 21, 2010	Tim Daly

Decision (describe the permit/approval decision):

Staff approved the Coastal Development Permit.

5. Grounds for Appeal (Please check all that apply)

- Factual Error (Process Three and Four decisions only)
 Conflict with other matters (Process Three and Four decisions only)
 Findings Not Supported (Process Three and Four decisions only)
 New Information (Process Three and Four decisions only)
 City-wide Significance (Process Four decisions only)

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

1. The community planning group voted 14-0-1 to recommend denial of the application.

2. The findings can not be made for the Coastal Development Permit.

3. Other concerns that may be presented at hearing.

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Joseph LaCava, President, La Jolla CPA Date: 8 June 2010

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

CITY PLANNING
COMMISSION

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services.
Upon request, this information is available in alternative formats for persons with disabilities.

DS-3031 (03-07)

JUN 08 2010

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LA JOLLA COMMUNITY PLANNING ASSOCIATION

P.O. Box 889 La Jolla CA 92038 Ph 858.456.7900
<http://www.LaJollaCPA.org> Email: Info@LaJollaCPA.org

Regular Meeting – 3 December 2009

Attention: Tim Daly, PM, City of San Diego

Project: Sorokin Duplex
 247 Kolmar St.
 PN: 190364

Motion: Motion to confirm the action of the DPR Committee: Findings cannot be made for a CDP for the Sorokin Duplex and forward the action to the City. **Vote: 14-0-1**

Submitted by: *Joseph LaCava* **3 December 2009**

 Joe LaCava, President **Date**
 La Jolla CPA

DPR Committee report for November 2009

Project Name: SOROKIN DUPLEX
 247 Kolmar St.
 Permits: CDP
 Project #: JO#43-2604/190364
 DPM: Tim Daly (619) 446-5356, tdaly@sandiego.gov
 Zone: RM-1-1
 Applicant: David Linn 858-459-8180, linnarch@gmail.com

Scope of Work: (Process 2) Coastal Development Permit to demolish existing residence and construct two residential for rent units on a 0.11 acre site in the RM-1-1 zone within the La Jolla community plan, Coastal Overlay (non - appealable), Coastal Height Limit, Residential Tandem Parking, Transit Area, Council District 1. Notice Cards =1.

Subcommittee Motion: The findings cannot be made for a Coastal Development Permit.

Subcommittee Vote: 5-2-1



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101
 (619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title: SOROKIN RESIDENCE Project No. For City Use Only: 190364
 Project Address: 247 KOLMAR ST.

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached Yes No

Name of individual (type or print): DRIAN SOROKIN
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: 817 Center Street
 City/State/Zip: Carlsbad CA
 Phone No: 858-489-1520 Fax No: _____
 Signature: [Signature] Date: 7/22/09

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

Name of individual (type or print): _____
 Owner Tenant/Lessee Redevelopment Agency
 Street Address: _____
 City/State/Zip: _____
 Phone No: _____ Fax No: _____
 Signature: _____ Date: _____

**Project Chronology
Sorokin Residence – Proj. No. 190364**

Date	Action	Description	City Review Time	Applicant Response
8/5/09	First Submittal	Project Deemed Complete		
9/24/09	First Assessment Letter w/ conflict resolution mtg		51 days	
1/5/10	Second Submittal			103 days
2/2/10	Second Assessment Letter		28 days	
4/2/10	Issues Resolved			59 days
4/27/10	CEQA Exemption			
5/21/10	Notice of Decision		49 days	
6/8/10	Appeal			
7/22/10	Planning Commission Appeal Hearing		45 days	
TOTAL STAFF TIME			173 days	
TOTAL APPLICANT TIME				162 days
TOTAL PROJECT RUNNING TIME		From Deemed Complete to Planning Commission	10 months, 17 days	

§113.0222 Calculating Density

(a) Multiple Dwelling Unit Development

For *multiple dwelling unit development*, the maximum number of units that may be permitted on any *premises* is determined by dividing the lot area of the *premises* by the number of square feet required for each dwelling unit (maximum permitted density), as prescribed by the applicable base zone.

(1) If the quotient resulting from this calculation exceeds a whole number by 0.50 or more, the number of dwelling units may be increased to the next whole number.

